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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,674	06/04/2001	Zoran Krivokapic	F0537	5266
45305	7590	08/25/2004	EXAMINER	
RENNER, OTTO, BOISSELLE & SKLAR, LLP (AMDS)			FENTY, JESSE A	
1621 EUCLID AVE - 19TH FLOOR			ART UNIT	
CLEVELAND, OH 44115-2191			PAPER NUMBER	

2815

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,674

Applicant(s)

KRIVOKAPIC, ZORAN

Examiner

Jesse A. Fenty

Art Unit

2815

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14, 21-25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14, 21-23 and 27 is/are allowed.
- 6) ☒ Claim(s) 24 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 2815

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato (U.S. Patent No. 5,371,391) in view of Chooi et al. (U.S. Patent No. 6,486,020 B2)

In re claim 24, Sato discloses a semiconductor device, comprising:

A first gate (16) defining a first channel region interposed between a source and a drain formed within the active region;

A second gate (21) straddling the first gate defining second channel regions interposed between the first channel region and the source and the drain; and

A contact (17) connecting the first gate with the second gate;

Wherein a liner (15) includes a segment separating the second gate and the substrate.

Art Unit: 2815

Sato does not expressly disclose an SOI substrate. SOI substrates are well known in the art as disclosed by Chooi (column 4, line 4). It would have been obvious for one skilled in the art at the time of the invention to use an SOI substrate as disclosed by Chooi for the device of Sator for the purpose, for example, of enhancing the functionality of the device by insulating the active region from subsurface currents.

4. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa (U.S. Patent No. 6,632,714 B2) in view of Chooi et al. (U.S. Patent No. 6,486,020 B2)

In re claim 24, Yoshikawa discloses a semiconductor device, comprising:

A first gate (3) defining a first channel region interposed between a source and a drain formed within the active region;

A second gate (8) straddling the first gate defining second channel regions interposed between the first channel region and the source and the drain; and

A contact (12) connecting the first gate with the second gate;

Wherein a liner (6) includes a segment separating the second gate and the substrate.

Sato does not expressly disclose an SOI substrate. SOI substrates are well known in the art as disclosed by Chooi (column 4, line 4). It would have been obvious for one skilled in the art at the time of the invention to use an SOI substrate as disclosed by Chooi for the device of Sator for the purpose, for example, of enhancing the functionality of the device by insulating the active region from subsurface currents.

In re claim 25, Yoshikawa in view of Chooi discloses the device of claim 24, wherein a dielectric layer (5) is disposed between the segment separating the second gate and the substrate.

Art Unit: 2815

Allowable Subject Matter

1. Claims 1-14, 21-23 and 27 are allowed.

Response to Arguments

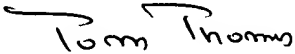
2. Applicant's arguments with respect to claims 1-9, 21-23 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jesse A. Fenty whose telephone number is 571-272-1729. The examiner can normally be reached on 5/4-9 1st Fri. Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 571-272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TOM THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Jesse A. Fenty
Examiner
Art Unit 2815